

4th December, 1930.

PRESENT:—

HIS EXCELLENCY THE GOVERNOR (SIR WILLIAM PEEL, K.B.E., C.M.G.).

THE COLONIAL SECRETARY (HON. MR. E. R. HALLIFAX, C.M.G., C.B.E.).

THE ATTORNEY GENERAL (HON. MR. C. G. ALABASTER, K.C., O.B.E.).

THE SECRETARY FOR CHINESE AFFAIRS (HON. MR. A. E. WOOD).

THE COLONIAL TREASURER (HON. MR. C. MCI, MESSER, O.B.E.).

HON. MR. H. T. CREASY, C.B.E. (Director of Public Works.).

HON. MR. E. D. C. WOLFE, C.M.G. (Inspector General of Police).

HON. COMMANDER G. F. HOLE, R.N. (Retired) (Harbour Master).

HON. DR. A. R. WELLINGTON (Director of Medical and Sanitary Services).

HON. SIR SHOU-SON CHOW, K.T.

HON. MR. W. E. L. SHENTON.

HON. MR. J. OWEN HUGHES.

HON. MR. R. H. KOTEWALL, C.M.G., LL.D.

HON. MR. J. P. BRAGA.

HON. MR. S. W. TS'O, O.B.E., LL.D.

HON. MR. C. G. S. MACKIE.

HON. MR. J. J. PATERSON.

MR. N. L. SMITH (Deputy Clerk of Councils).

ABSENT:—

HIS EXCELLENCY THE GENERAL OFFICER COMMANDING THE TROOPS (MAJOR-GENERAL J. W. SANDILANDS, C.B., C.M.G., D.S.O.).

MINUTES.

The minutes of the previous meeting of the Council were confirmed.

PAPERS.

THE COLONIAL SECRETARY, by command of H.E. the Governor, laid on the table the following papers:—

Regulations under section 3 of the Watchmen Ordinance, 1928, on 6th November, 1930.

Regulation under section 4 (1) of the Pilots Ordinance, 1930, on 20th November, 1930.

Regulations under section 28 (5) of the Merchant Shipping Ordinance, 1899, on 20th November, 1930.

Regulations under section 5 of the Ferries Ordinance, 1917, on 20th November, 1930.

Regulations under section 4 of the Sunday Cargo Working Ordinance, 1929, on 21st November, 1930.

Regulation under section 36 (12) of the Merchant Shipping Ordinance, 1899, on 22nd November, 1930.

Regulation under section 3 of the Post Office Ordinance, 1926, on 25th November, 1930.

Regulation under section 3 of the Post Office Ordinance, 1926, on 25th November, 1930.

Regulation under section 7 of the Suppression of Piracy Ordinance, 1868, on 25th November, 1930.

Regulations under section 32 (2) of the Merchant Shipping Ordinance, 1899, on 27th November, 1930.

Report of the Acting Auditor, Hong Kong, on the Audit Office, 1929.

Report of the Inspector General of Police for the year 1929.

Abstract showing the differences between the approved Estimates of Expenditure for 1930 and the Estimates of Expenditure for 1931 (Sessional Paper No. 8 of 1930).

QUESTIONS.

HON. MR. J. P. BRAGA asked:—

1.—Has the attention of the Hon. Attorney General been drawn to the leading articles in the *Hongkong Telegraph* newspaper of the 15th November and in the *South China Morning Post* of the 17th inst. advocating the establishment of a Court of Criminal Appeal in Hong Kong?

2.—Has the suggestion been considered by Government before?

3.—If the reply to question 2 be in the affirmative, will the Government state the reasons for not adopting the precedent in England for creating a Court of Criminal Appeal in Hong Kong? If in the negative, will the Government consider the advisability of creating such a Court in this Colony?

THE ATTORNEY GENERAL replied:—

1.—Yes.

2.—Yes.

3.—Correspondence has been proceeding since the month of May between the Secretary of State for the Colonies and the Government, with a view to bringing the position in regard to Criminal Appeals in the Colony into accord with the provisions of the Criminal Appeal Act, 1907.

FINANCE COMMITTEE'S REPORT.

THE COLONIAL SECRETARY, by command of H.E. the Governor, laid upon the table the report of the Finance Committee, No. 15 of 6th November, 1930, and moved that it be adopted.

THE COLONIAL TREASURER seconded and this was agreed to.

ASSESSMENT RATES.

THE COLONIAL SECRETARY, in moving the resolution to increase the Assessment Rate by four per cent., said: The resolution in my name on the Agenda paper, which I ask permission to have accepted as read, implements the policy indicated in this year's Budget Debate, to increase the Assessment rates of the Colony by a uniform 4% in the coming year.

Our Rating Ordinance—No. 6 of 1901—gives general power to assess and to demand the payment of rates; but does not differentiate between the public services for which rates are

payable. In fact, only in the Water Ordinance are rates connected with any particular service, and there only as a basis for the calculation of the free allowance. The idea, however, seems to have grown (and with it rather a vague practice) that rates are separately calculated and definitely allocated to specific expenditure: but there has been no rule requiring adherence to a uniform percentage in the separate calculation, and variations of percentage have occurred. This practice is no doubt responsible for the very uneven figures that appear in the section of the Ordinance —section 29—which fixes the actual rates for the Colony. But these figures are figures the Government has now to work on: and in tabulating the increase of 4% throughout the irregularity of the figures must remain for the time.

The Government's view is, however, that the assessed value and consequently the percentage thereon automatically adjusts itself to the amenities provided to property. It is proposed in consequence to review the whole table of figures; and, leaving water apart, as requiring separate treatment, to attempt to find a uniform percentage charge to be leviable in all rated areas for the services provided by the Government. It is anticipated that a new and more simple table will be laid before this Council for discussion in a few months' time with a view to bringing it into force as from July 1st, 1931.

I beg to move the resolution:—

Resolved by the Legislative Council that the percentages on the valuation of every tenement enumerated in the list of tenements assessed, payable as rates, shall be altered, and that on and from the date to be fixed by His Excellency the Governor for the coming into effect of this resolution the following percentages shall be payable as rates, namely, for any tenement—

In the City of Victoria.—17 per cent.

In that portion of the Hill District bounded on the north, south, and west by the 700-foot contour, and on the east by a line drawn north and south passing through the Wanchai Gap; and in such other portion of the Hill District as may, by order of the Governor, be notified in the *Gazette*.—17 per cent.

In the remaining portion of the Hill District and in Quarry Bay.—12 $\frac{3}{4}$ per cent.

In Tai Hang and San Tsun.—17 per cent.

In Tung Lo Wan, Whitfield and Shaukiwan Roads as far as Inland Lot No. 1620.—16 $\frac{1}{4}$ per cent.

In the remaining portion of Shaukiwan Road (North Point).—14 $\frac{3}{4}$ per cent.

In Shaukiwan East and West.—16 $\frac{1}{4}$ per cent.

Shaukiwan Marine Lots Nos. 1 to 10, both inclusive, and Shaukiwan Inland Lot No. 408.—14 $\frac{3}{4}$ per cent.

In Tsing Shui Ma Tau, Po Kau Wat and Sai Wan Ho.—16 $\frac{1}{4}$ per cent.

In Broadwood Road (with the exception of Inland Lots Nos. 1911, 1946, 2039 and 2060).—16 $\frac{1}{4}$ per cent.

Inland Lot Nos. 1911, 1946 and 2060.—14 $\frac{1}{4}$ per cent.

Inland Lot. No. 2039.—17 per cent.

In Wong Nei Chung (with the exception of the new Government built village) and Wong Nei Chung Road.—17 per cent.

In Wong Nei Chung New Village.—13 per cent.

In Aberdeen.—16 per cent.

In Aplichau.—14 $\frac{1}{2}$ per cent.

In Stanley.—12 $\frac{1}{2}$ per cent.

In Kowloon Point, Yaumati, Mongkoktsui, Taikoktsui, Shamshuipo, Prince Edward Road, the south side of Boundary Street and Fuk Tsun Heung (with the exception of Kowloon Marine Lots Nos. 26, 28 and 33).—17 per cent.

Kowloon Marine Lots Nos. 26, 28 and 33.—16 $\frac{1}{4}$ per cent.

In the area bounded by the extension of Argyle Street on the north, by the extension of Waterloo Road on the south-east and by the Kowloon Canton Railway on or towards the west.—17 per cent.

In Hung Hom, Hung Hom West, Hok Yuen and Kowloon City Road from the Hung Hom Police Station to the north as far as and including Kowloon Inland Lot No. 1150 and Kowloon Marine Lot No. 67.—17 per cent.

In To Kwa Wan.—13 $\frac{3}{4}$ per cent.

In Ma Tau Wai and Kowloon City (with the exception of the new lay-out).—13 per cent.

In Kowloon City, the new lay-out.—17 per cent.

In Kowloon Bay Reclamation.—17 per cent.

In Lai Chi Kok, Wong Uk, Cheung Sha Wan and Kowloon Old City.—13 per cent.

In any other place.—11 per cent.

THE COLONIAL TREASURER seconded and the resolution was adopted.

CROWN LANDS RESUMPTION ORDINANCE, 1930.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to amend the Crown Lands Resumption Ordinance, 1900." He said:—The amendment effected by this Bill, which is explained in the memorandum of Objects and Reasons, is to simplify the procedure and adopt a uniform procedure in the case of resumption of Crown lands instead of the old procedure which obtained under the principal Ordinance and was determined by the value of the land in question. Under this Ordinance, as will appear in subsection two of new Section six, the Chairman of the Board of Arbitrators is in most cases to be a Magistrate or Justice of the Peace nominated by Your Excellency but if any owner or any other party desires the Chairman to be a Judge, a Judge will preside on a request being filed at the Registry of the Supreme Court.

THE COLONIAL SECRETARY seconded and the Bill was read a first time.

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows:—

1. Section 2 of this Ordinance substitutes four new sections for sections 3, 4, 5 and 6 of the Crown Lands Resumption Ordinance, 1900. The repealed sections provided alternative methods of procedure for the resumption of land required for public purposes depending on whether or not the value of the land exceeded five hundred dollars for any registered lot or portion of a lot. Thus the more elaborate procedure had to be resorted to where only one lot of over five hundred dollars in value was affected; whereas a resumption of an area valued at many thousands of dollars was governed by the less elaborate procedure if each registered lot in the area did not exceed five hundred dollars in value. In such cases each registered lot was separately dealt with. The new sections provide but one method of procedure adapted from the alternative methods provided by the sections they replace.

2. The original sections called for four months notice published in the Gazette and for a judge as chairman of the compensation Board in cases where the lot value exceeded five hundred dollars. In other cases the period of the notice was one month, it was not published in the Gazette and the chairman was a magistrate or

justice of the peace. The new sections provide in normal cases for one month's notice and a magistrate or justice of the peace as chairman unless either party requests a judge. The Governor appoints and instead of the Governor in Council determines the remuneration of the clerk to the Board. The Governor is empowered to authorise a longer notice where it is considered necessary. Service on the owner is required if he can be found and for the information of all persons interested in the land a further copy has to be conspicuously affixed upon land affected.

3. Section 3 of this Ordinance provides for the award of compensation and costs to persons deemed entitled thereto even if they have not appeared as claimants before the Board of arbitrators.

ENTERTAINMENTS TAX ORDINANCE, 1930.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to impose duties in respect of admission to entertainments." He said:—This carries out the policy stated by Your Excellency in the Budget Debate to adopt an entertainment tax, sometimes called an amusement tax, in the Colony. It follows as far as possible the procedure which is operating in England, but here we have dealt with it in one Ordinance whereas we had to obtain the information on which it is based from a patchwork of many Finance Acts which have led to the same thing in England. The amount of the duty is set out in the first schedule on page four of the print.

THE COLONIAL SECRETARY seconded and the Bill was read a first time.

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows:—

1. The object of this Ordinance is to raise necessary revenue by the imposition of duties in respect of admission to entertainments.
2. The Ordinance is based mainly on the Finance (New Duties) Act, 1916, (6 Geo. 5 ch. 11) and the various subsequent Finance Acts amending and amplifying it. The Regulations in the Second Schedule are based on those in the Statutory Rules and Orders, 1921.
3. As the Ordinance in section 5 delegates to the Colonial Treasurer certain functions which under the Acts are delegated to the Commissioners of Customs and Excise a subsection has been added to section 5 (on the lines of s. 19 of Ordinance No. 26 of 1913) giving a right of appeal to the Governor in Council.

PIERS AMENDMENT ORDINANCE, 1930.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to amend further the Piers Ordinance ,

1899." He said:—This makes it clear that the Governor-in-Council has power to revise fees in respect of piers, and it is particularly necessary in outlying districts that the Governor-in-Council should have that power.

THE COLONIAL SECRETARY seconded and the Bill was read a first time.

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows:—

The provisions of section 3 (4) of the Piers Ordinance, 1899, which permit the Governor in Council to remit the whole or any portion of the rent of a pier is limited in terms to "temporary" piers. This has proved an embarrassing limitation in certain cases, especially in the New Territories, and is contrary to the spirit of the Crown Fees Ordinance, 1870 (Ordinance No. 5 of 1870) under which the Governor in Council is given a general discretionary power to reduce fees.

STAMP AMENDMENT ORDINANCE, 1930.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to amend further the Stamp Ordinance, 1921." He said:—This raises the duty as foreshadowed by Your Excellency's speech in the Budget Debate and which is explained in the Memorandum of Objects and Reasons attached to the Bill. It also makes a change in the duty relating to partition fees, and this has been suggested by the conveyancing advisers of the Government.

THE COLONIAL SECRETARY seconded and the Bill was read a first time.

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows:—

1. This Ordinance makes a few changes in the Schedule to the Stamp Ordinance, 1921.
2. The Ordinance is to come into operation on the 1st January, 1931.
3. Section 3 (1) raises the duty on cheques from five to ten cents.
4. Section 3 (2) permits the use of adhesive stamps to make up the difference in duty until the 1st March, 1931.
5. Section 4 and 10 raise the duty in the case of Bills of lading and equivalent acknowledgment books from ten to fifteen cents, where the freight is under five dollars, and from thirty to forty cents where the freight is five dollars or more.

6. Section 5 raises the duty on compradore orders passed through a bank from five to ten cents.

7. Section 9 makes a like increase in the case of Receipts but exempts amounts not exceeding twenty dollars from Receipt Stamp duty. The previous limit was ten dollars.

8. Section 6 corrects a typographical error in the Heading relating to conveyances not specifically described.

9. Section 7 and 8 bring the system of duty in the case of deeds of partition more closely into line with the system prevailing in England (where *ad valorem* duty is charged on equality money in excess of £100) by making the duty \$20 plus an *ad valorem* charge on the equality money. As in England where the partition is carried out by several instruments the principal deed will be so charged, the other deeds being stamped with the ordinary deed duty of \$20 (*see* Encyclopaedia of Forms and Precedents Vol. 9, p. 423).

THE TUNG WAH HOSPITAL ORDINANCE, 1930.

THE ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to make certain provisions relating to the corporation named The Tung Wah Hospital." He said:—This is a Government measure but it affects an institution which is run by unofficial people, and it represents, as far as is known, the wishes of the Directors of this institution. There is a very long table of correspondence and Objects and Reasons attached to the Bill. The Directors are anxious that it should pass this year in order that the elections which take place early next year may be put upon a proper footing.

THE COLONIAL SECRETARY seconded and the Bill was read a first time.

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows:—

1. The Tung Wah Hospital was incorporated on the 30th March, 1870, by Ordinance No. 1 of 1870. The incorporation thereby effected was of "such and so many persons (being of Chinese origin) as may become donors of any sum not under ten dollars to the funds of the said Hospital and whose names are entered upon the register of members hereinafter provided" (section 2). A Board of Direction was formed, and it was provided that the directors should be elected as occasion might require by a majority of votes of members who were within the Colony at the time of such election.

2. It appears that no register of members has ever been kept. Since the Hospital has all along been supported in the main by voluntary subscriptions by Chinese in the Colony and
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seems obvious that those who are entitled under Ordinance No. 1 of 1870 to become members must be too numerous for a register of them to be kept, and in point of fact there have never been any "members" within the meaning of the incorporation Ordinance.

3. The mode of electing directors has in practice never conformed to the provision above quoted in the incorporation Ordinance. The procedure, which has grown to be more or less a definite tradition, has been for certain guilds and other bodies to nominate directors to serve. This procedure or tradition has worked out extremely well in practice, any difficulty experienced having been due not to any guild or body claiming the right to send representatives, but, on the contrary, to the unwillingness of some guilds to nominate representatives.

4. The chief object of this Ordinance is to put that practice or tradition on a more regular footing.

5. The Hospital in Kowloon known as the Kwong Wah is governed by Ordinance No. 38 of 1911. Under that Ordinance the Tung Wah Hospital possesses, in relation to the Kwong Wah, the same powers and rights and is subject to the same liabilities and responsibilities as it possesses, and is subject to, with regard to the Tung Wah Hospital (section 3). The Board of Directors have the power to appoint a manager subject to the approval of the Governor (section 4), and the Board of Directors have the power, subject to the approval of the Governor in Council, to appoint a local committee consisting of subscribers to the Kwong Wah Hospital who are residents in Kowloon, of which the manager above mentioned should be *ex officio* chairman (section 6).

6. Whether the Kwong Wah was ever managed in accordance with the provisions of Ordinance No. 38 of 1911 seems doubtful. It is clear that as Kowloon grew and men were forthcoming to manage the Kwong Wah as a Chinese Hospital for Kowloon, the direct control of the Tung Wah grew less, with the result that now, and for some years past, the Kwong Wah Hospital has been entirely controlled by "directors of the Kwong Wah" elected according to their own constitution, subject to merely the question of finance, over which the Tung Wah, to whom the Kwong Wah used to look for assistance, retain some measure of control or direction.

7. Another object of this Ordinance therefore is to give effect to the reality of the present position of the Kwong Wah by repealing the whole of the Ordinance (clause 18), by providing for the maintenance of the Kwong Wah by the Tung Wah (clause 4 (c) and (d)), by vesting the Kwong Wah properties in the Tung Wah (clause 7 and first schedule), and by providing for the representatives on the board of direction of the Tung Wah of residents of Kowloon as Directors of the Tung Wah (clause 8 (2)).

8. This Ordinance also gives effect to the desire of the Government and of the Chinese residents that there shall be one central charitable institution in control, not only of the Tung Wah and its subsidiary institutions or organizations and the Kwong Wah, but also of the Tung Wah Eastern Hospital which is at Sookumpoo (clause 4 (e)).

9. To deal with the sections of the Ordinance seriatim:—

Section 1. This gives the short title and adopts the spelling of the name of the hospital as it appears on the corporation's seal and as it is known in preference to the spelling adopted in the Ordinance of 1870.

Section 2. It is not proposed to alter the existing practice or tradition except as provided in this Ordinance, and the word "Constitution" is accordingly defined so as to give effect to this intention. The Hospital depends to a large extent on the financial support of guilds, firms and associations. To include them in the membership a definition of "Society" has been inserted which is adopted from the definition in 13 & 14 Geo. 5, c. 14, s. 11.

Section 3. This provides for the continued existence of the corporation created in 1870 and lays down rules as to the membership of the corporation.

Section 4. This sets out the objects of the corporation and accords with its traditional practice.

Section 5 deals with the powers of the corporation which are in effect the same as those conferred by Ordinance No. 1 of 1870.

Section 6 provides for the execution of deeds by the corporation, which is to the same effect as section 7 of Ordinance No. 9 of 1904.

Section 7 provides for vesting of the properties in the corporation.

Section 8, 9, 10 and 11. The number of Directors has been increased from a minimum of 6 and a maximum of 16, to a minimum of 18 and a maximum of 30, 6 of whom shall be residents of Kowloon or New Kowloon. The other provisions of these sections generally express the existing practice as to elections and the functions of directors. Permanent advisers have for some years past been appointed by His Excellency the Governor. It was suggested that the Board of Directors should consist

not only of the current Directors, but of the whole Board of Directors of the previous year. On further consideration it was thought that this arrangement would make the Board of Directors unusually large and unwieldy. On the other hand, it seems desirable that representatives of the previous year's Directors should be available for advice and consultation, and that such representatives should have some official status. It was therefore decided that these *Hip Li* should be entitled to attend directors, meetings; but not to vote. It was decided also that there should be an Advisory Board or Committee in addition, the composition of which is set out in section 11. It is therefore proposed that four ex-directors, of whom one is to be resident of Kowloon, shall be nominated annually by the Directors, and shall form part of the Advisory Committee for one year.

Section 12. Sub-section (1) provides for a quorum, and sub-section (2) is in effect a reproduction of section 11 of Ordinance No. 1 of 1870.

Section 13. This is a reproduction of the power of inspection by certain Government officials conferred by section 14 of Ordinance No. 1 of 1870.

Section 14. This provides for the keeping of books of account, and the transmission to the Colonial Secretary of a statement containing certain prescribed particulars and to other persons and bodies interested, and is an amplification of section 15 of Ordinance No. 1 of 1870.

Section 15. This validates the past acts of the corporation.

Section 16. This is the usual clause for saving of the rights of the Crown and certain other rights.

Section 17. This is a necessary consequential amendment because the Chairman of the Kwong Wah Hospital, mentioned in paragraph (f) in section 7 (1) of the Chinese Temples Ordinance, 1928, will cease to exist. His place is to be taken by an annually elected director of the Tung Wah who is a resident of Kowloon or New Kowloon. The reference to New Kowloon in this section and in sections 8 and 10 is necessary because the word "Kowloon" is given a restricted meaning in the Interpretation Ordinance, No. 31 of 1911.

Section 18. This provides for the repeal of the previous Ordinances in connection with the Hospital.

**REVENUE OFFICERS POWER OF ARREST AMENDMENT ORDINANCE,
1930.**

THE ATTORNEY GENERAL moved the first reading of a Bill intituled "An Ordinance to amend the law relating to the powers of arrest possessed by revenue officers." He said:— This is really a law revision Bill and it corrects omissions in the Ordinance of 1917, that is to say, it brings them up to date by substituting the present Post Office Ordinance for the old Post Office Ordinance, and it also contains certain references to the Motor Spirit Ordinance and makes amendments in that Ordinance which have been suggested by the Secretary of State.

THE COLONIAL SECRETARY seconded and the Bill was read a first time.

Objects and Reasons.

The "Objects and Reasons" for the Bill were stated as follows:—

Sections 2 and 3 add the recent Motor Spirit Ordinance to the Schedule in the Revenue Officers Power of Arrest Ordinance, 1917, the Second Schedule of which is also amended by substituting the Post Office Ordinance, 1926 for the Post Office Ordinance, 1900 which it replaced. Sections 4 and 5 clarify the expression "into custody" which were used in sections 40 and 43 of the Motor Spirit Ordinance, 1930.

POLICE FORCE AMENDMENT ORDINANCE, 1930.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to amend the Police Force Ordinance, 1900." He said:—This is a very short Bill making provision as to the pensions of members of the force, as explained in the memorandum of "Objects and Reasons" attached to the Bill.

THE COLONIAL SECRETARY seconded and the Bill was read a second time.

The Council went into Committee to consider the Bill clause by clause.

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee without amendment and he moved the third reading.

THE COLONIAL SECRETARY seconded and the Bill was read a third time and passed.

PROBATES AMENDMENT ORDINANCE, 1930.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to amend the Probates Ordinance, 1897." He said:—As explained in the memorandum of "Objects and Reasons" a very short amendment is effected to this Ordinance so as to carry out the arrangement which has been made between His Majesty's government and the United States government in relation to the interpretation of the Real and Personal Property Convention of 1899.

THE COLONIAL SECRETARY seconded and the Bill was read a second time.

The Council went into Committee to consider the Bill clause by clause.

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee without amendment and he moved the third reading.

THE COLONIAL SECRETARY seconded and the Bill was read a third time and passed.

SUMMARY OFFENCES AMENDMENT ORDINANCE, 1930.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to amend the Summary Offences Ordinance, 1845." He said: When this Bill is in Committee, by Your Excellency's permission, I shall move a small amendment to paragraph 13D at the bottom of page 1 of the print; that is to say, to add the words "or a District Officer" after the words "Secretary for Chinese Affairs" in the last line but one. This is not a very material amendment but it will be a very useful one. You will notice in Sub-sections which immediately precede it that a District Officer is authorised to give certain permission, but he has been omitted from paragraph 13D. It has been decided that he also shall be included among the officers who may give permission to stick up posters in the public streets. With that reservation, I beg to move the second reading of the Bill.

THE COLONIAL SECRETARY seconded and the Bill was read a second time.

The Council went into Committee to consider the Bill clause by clause.

THE ATTORNEY GENERAL.—I beg to move that "or a District Officer" be added after the words "Secretary for Chinese Affairs" in the sixth line of paragraph (13D) of Section 2 (b).

THE COLONIAL SECRETARY seconded and the amendment was approved.

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee with only a small amendment, which, by His Excellency's direction, was an immaterial one. He moved the Bill be read a third time and passed.

THE COLONIAL SECRETARY seconded and the Bill was read a third time and passed.

DISTRICT WATCH FORCE ORDINANCE, 1930.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to consolidate and amend the law relating to the District Watch Force." He said: This Force was provided for originally under Part 4 of the Regulation of Chinese Ordinance, 1888. This Bill, together with the Bill immediately preceding it and the two Bills that follow it, are designed as a group to get rid of Ordinance No. 3 of 1888 and to retain only those parts which are considered useful in the interests of the Colony generally. And so the District Watch Force has to have an Ordinance of its own.

THE COLONIAL SECRETARY seconded and the Bill was read a second time.

Council went into Committee to consider the Bill clause by clause.

THE ATTORNEY GENERAL.—I beg to move that the word "of" be inserted in the marginal note of Clause 7, so that it shall read "repeal of."

THE COLONIAL SECRETARY seconded and the amendment was approved.

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee without material amendment and he moved the third reading. The Colonial Secretary seconded and the Bill was read a third time and passed.

PLACES OF PUBLIC ENTERTAINMENT REGULATION AMENDMENT ORDINANCE, 1930.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to amend the law relating to theatrical performances at places of public entertainment." He said: This Bill,

like the last two predecessors, is a general Ordinance, the provisions of which were previously contained in Ordinance No. 3 of 1888.

THE COLONIAL SECRETARY seconded and the Bill was read a second time.

Council went into Committee to consider the Bill clause by clause.

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee without amendment and he moved the third reading.

THE COLONIAL SECRETARY seconded and the Bill was read a third time and passed.

LAW REVISION ORDINANCE, 1930.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance for promoting the revision of the Ordinances of Hong Kong by the repeal of Ordinances and other Enactments which are spent or no longer required and by the correction of errors." He said: The object of this Bill is explained in the long title which I have just read, and it will be noticed that among the Ordinances is the Regulation of Chinese Ordinance, 1888, all that is valuable in which has already been transferred to other Ordinances which we have just passed. Opportunity has been taken to revise Ordinances generally and to cut out anything which is considered no longer necessary, and also to correct certain errors and misprints which have been pointed out from time to time.

THE COLONIAL SECRETARY seconded and the Bill was read a second time.

Council went into Committee to consider the Bill clause by clause.

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee without amendment and he moved the third reading.

THE COLONIAL SECRETARY seconded and the Bill was read a third time and passed.

COMPANIES AMENDMENT ORDINANCE, 1930.

THE ATTORNEY GENERAL moved the second reading of a Bill intituled "An Ordinance to amend the law relating to Companies." He said: This Ordinance provides that
t h e l i s t o f a u t h o r i s e d a u d i t o r s

will be placed under the control of the Governor-in-Council and published annually by the Clerk of Councils. As in the Companies Ordinance of last year, the list is to be divided into two parts and where a Company keeps its accounts generally in two languages an auditor whose name appears in one part of the list for English shall audit the English accounts and an auditor whose name appears in the other part of the list for Chinese accounts shall audit the other accounts. But it will not be considered necessary that there shall be two auditors for the extra book which is a daily summary as provided in the proviso, of Section 77 (1) of the principal Ordinance. When this Bill goes into Committee, I propose, with your Excellency's approval, to move that the following words be added to the part at the extreme end, just after the full stop, which will be changed into a semi-colon, "and nothing herein shall be deemed to require a second auditor for the daily summary in the English language referred to in the proviso in Section 77 (1)." Subject to my undertaking to move the amendment, I propose the second reading of the Bill.

THE COLONIAL SECRETARY seconded and the Bill was read a second time.

Council went into Committee to consider the Bill clause by clause.

THE ATTORNEY GENERAL.—I beg to move the amendment I foreshadowed in proposing the second reading: immediately before the full stop at the extreme end, to add a semi-colon and the words "and nothing herein shall be deemed to require a second auditor for the daily summary in the English language referred to in the proviso in Section 77 (1)".

THE COLONIAL SECRETARY seconded and the amendment was agreed to.

Upon Council resuming,

THE ATTORNEY GENERAL reported that the Bill had passed through Committee with an amendment which was held to be immaterial and he moved the second reading.

THE COLONIAL SECRETARY seconded and the Bill was read a third time and passed.

ADJOURNMENT.

H.E. THE GOVERNOR.—The Council stands adjourned till December 11th.

FINANCE COMMITTEE.

Following the Council, a meeting of the Finance Committee was held, the Colonial Secretary presiding.

Votes totalling \$195,431 contained in message No. 16 from H.E. the Governor, were considered.

Item 142: Education. University Examination Grants. Entrance fees for University Local Examinations.

HON. MR. J. OWEN HUGHES.—Sir, I should like to enquire if this amount represents the sum granted by the Government to entrants for University Local Examinations, both senior and junior, which I understand the Government insists that scholars should enter. Am I rightly informed that the Government pays all these fees?

THE CHAIRMAN:—Yes.

HON. MR. J. J. PATERSON:—Surely forced entries are rather expensive, because you can take a horse to the water but you cannot make him drink, and a very large proportion of those forced to enter surely have no hope of passing the examination.

THE CHAIRMAN:—It is not everybody in the grant-in-aid schools who have to enter. I cannot answer the question on the exact limits, but they are naturally reasonable.

HON. MR. PATERSON:—Could I have details, because this will come before the Retrenchment Commission and I think the vote might be left until then.

THE CHAIRMAN:—The principle might very well be considered by the Retrenchment Commission but this particular payment is one we are committed to. It would be rather convenient to get it passed this year and paid in this way, and it will be a simplification of the method of accounting. The exact decision as to who and for whom the Government pays these entrance fees can be a matter to be discussed separately by the Retrenchment Commission. Your decision can hardly affect this vote.

HON. MR. PATERSON:—Yes, I realise that.

HON. MR. S. W. TS'O.—Will this money affect the capitation grants at all?

THE CHAIRMAN:—No, not in any way. It is only a simplification of method. It was rather complicated until now, and this will put it on a very simple basis in the future.

Item 150: Public Works Extraordinary. Hong Kong Water-works. Pipe Line from Tytam to Stanley.

HON. MR. OWEN HUGHES.—I notice, Sir, that the rate for Stanley is 12½ per cent. in the resolution we adopted earlier. Will this supply of water be taken into consideration in fixing the 12½ per cent.?

THE CHAIRMAN.—In the re-arrangement of the Stanley rates it will come in later on, but there is no special allocation of the assessment rate for special services as yet. If there is any re-arrangement, the matter will have to be considered.

All the votes were approved.
